

AFFIDAVIT

Your Affiant, Jamaal A. Ansari, deposes and states:

1. Your Affiant, Jamaal A. Ansari is an employee of the United States Department of Justice (DOJ), Drug Enforcement Administration (DEA) within the meaning of Section 878(a) of Title 21, United States Code, that is an officer who is empowered by law to conduct investigations, make arrests, and seize property for violations of Title 18, United States Code and Title 21, United States Code.
2. Your Affiant is a Task Force Officer for the United States Department of Justice, Drug Enforcement Administration (DEA), and has been so employed for approximately seven years. Prior to becoming a Task Force Officer with DEA, your Affiant was employed as a Narcotic Detective with the Cleveland police Department for a period of twenty-one years. During your Affiant's employment with DEA, your Affiant has been assigned to the Cleveland Resident Office in Cleveland, Ohio.

TRAINING AND EXPERIENCE

3. Your Affiant has been involved in the investigation of various individuals and organizations involved in the manufacturing, distribution, and use of controlled substances. Your Affiant has conducted surveillance operations and has become familiar with the methods used by individuals engaged in the manufacturing, trafficking, and use of controlled substances. During your Affiant's employment with DEA as a Task Force Officer, your Affiant has on numerous occasions worked in an undercover capacity and made purchases of controlled substances; and has participated in the preparation of affidavits and the execution of numerous search and arrest warrants for violations of Federal Drug Laws contained in Title 21, United States Code. In addition, your Affiant has on numerous occasions, as a Task Force Officer with DEA, made seizures of contraband, conveyance, currency, real property, drug paraphernalia, and firearms used in violation of Title 21, United States Code, Section 841. Your Affiant has successfully conducted numerous

investigations, which have resulted in the arrest(s) of numerous drug traffickers and the seizure of significant quantities of drugs, and drug related proceeds.

PROBABLE CAUSE

1. On 2-22-06, at approximately 2:20 PM, S/A Lee Lucas and Capt Brian Heffernan met with a Source of Information, (herein after referred to as SOI). The SOI made a tape recorded and monitored call to Robert Lee EVANS at the Rally's Restaurant located at the corner of Mayfield Road and Warrensville Center at (216) 691-1077.
2. In summary, the SOI called EVANS who advised the SOI to come to the Rally's at about 4:45 PM and to bring \$2,400.00. Later this same date, the SOI telephoned TFO Jamaal Ansari and advised that he/she was at the Rally's with EVANS and that they could do the two ounce deal. At this time, TFO Ansari (who was acting in an undercover capacity), took \$2,400.00 that had the serial numbers previously recorded and a recording device.
3. At approximately 8:33 PM, Capt. Brian Heffernan observed TFO Ansari arrive at the Rally's. Capt. Heffernan observed TFO Ansari meet the SOI. TFO Ansari then walked to the window and went to his vehicle. At approximately 8:37 PM, Capt Heffernan observed EVANS get into TFO Ansari's vehicle, which was parked in the Rally's parking lot. EVANS then departed this vehicle and went back into the Rally's. TFO Ansari returned to the Rally's and gave the SOI the recording device.
4. At approximately 9:19 PM, Capt. Heffernan observed EVANS to enter his K car, Ohio tag number DRE-8900 and depart. This vehicle was followed to the area of East 70 Street and St Clair Avenue by S/A Lucas and Sgt. Ron Ross. This vehicle was then lost. Capt Heffernan retrieved the recording device from the SOI.
5. On 2-23-06, at approximately 12:34 AM, S/A Lucas observed EVANS return to Rally's, driving his


vehicle. EVANS got out of his vehicle and entered the Rally's. At this time, a black male, later identified as Anderson Baird, exited EVANS' vehicle and went to the window. BAIRD then received some food and went back to the K car.

6. At approximately 12:51 PM, S/A Lucas observed EVANS to exit the Rally's and walk over to TFO Ansari. S/A Lucas observed EVANS toss something with his right hand to TFO Ansari. EVANS then departed in his vehicle. As EVANS arrived at TFO Ansari's vehicle, the SOI called S/A Lucas and advised that he/she had observed EVANS weigh the crack in the Rally's.
7. TFO Ansari was given by EVANS's approximately 54 gross grams of a substance that field tested positive for the presence of cocaine, and in your Affiant's experience, was consistent with crack cocaine.
8. EVANS was followed for about 10 minutes and stopped by a police cruiser. EVANS was identified as the driver of the K car, and Anderson Baird was identified as the passenger.
9. A criminal history check revealed that EVANS has prior arrest and conviction for drugs under FBI # 363541HA6.

United States Magistrate Judge
Northern District of Ohio
Eastern Division


CONCLUSION

Based upon the above listed facts and circumstances, Your Affiant has probable cause to believe, and does believe that Robert Lee EVANS, did knowingly, and intentionally possess with intent to distribute cocaine base (crack cocaine), a Schedule II narcotic controlled substance, in the Northern District of Ohio, Eastern Division, in violation of Title 21 USC 841 (a)(1), (b)(1)(A). Your Affiant requests that an arrest Warrant be issued for Robert Lee EVANS.



Jamaal Ansari
Task Force Officer
Drug Enforcement Administration

Sworn to and subscribed before me this 6th day of March, 2006.



David S. Perelman
United States Magistrate Judge
Northern District of Ohio
Eastern Division